

**RE: Special Use Permit #2017-0091 Secret Garten Restaurant**

**Docket Item #8**

Mount Vernon Court Community Association (MVCCA) urges the Council to vote **no** on SUP Permit # 2017-0091 on Saturday March 17. Our concerns and the issues we have raised are well documented in the record.

We are raising four issues and amendments to the SUP for Council consideration:

1. The Secret Garten should hire a security guard for the hours the Secret Garten is operational to patrol the restaurant and surrounding shopping center;
2. The SUP should be revised to require the side gate entrance to the back-parking lot is closed at all times. Exceptions are ADA entrance (if needed); emergency exit, and parking.
3. The City Planning Director should convene an annual meeting with shopping center owner, Secret Garten owner and neighbors (including MVCCA, 7-11; El Paisa, laundromat) to discuss compliance and other matters of community interest.
4. Revise SUP condition #13 to ensure that power washing will not occur at night.

Shopping Center Security Guard

- Shopping Center owner is a party to the SUP by virtue of Senor Chicken's extension onto the rear parking lot for an outdoor beer garden.
- Shopping Center has been a problem since at least 1991 – at least 27 years (See attached DRCA letter dated 09/29/1991)
- Shopping center owner (Oshinsky) and property manager (Young) are the same individuals as in 1991.
- Ongoing problems at this shopping Center include:
  - Vagrancy and loitering; drug dealing, drinking.
  - Based on a recent FOIA, nearly 500 (492) incidents in the 3200 block of Mt. Vernon Ave in past 3 years.
    - 22 alcohol related crimes
    - 20 violent crimes
    - 36 thefts/larcenies
    - 50 disorderly conduct citations
- Nearby Warwick Pool reopens in May
  - *Add condition # 38: Applicant/property owner shall hire a security guard to secure the beer garden and shopping center during the hours the beer garden is operational (indoor/outdoor).*

Side Entrance

- Side gate is currently left open 24 hours per day and contributes to vagrancy and loitering in the rear parking lot.
- Closing the gate 24 hours per day increases site security.

- Closing gate precludes Secret Garten patrons from entering via the side/rear parking lot.
  - *Revise Condition #16 to add: The side gate to the rear parking lot shall be closed at all times. The side gate may be opened for ADA entrance/exit, an emergency exit, or parking entrance/exit.*

#### Annual Meeting

- MVCCA would like to meet annually with the applicant and the shopping center owner to discuss compliance with the permit and other issues of mutual concern.
- Establish lines of communication now and head off problems before they begin.
- Working together to ensure that the applicant addresses compliance problems -- not the community through complaints.
  - *Revise condition #36 to add: Prior to the initial review by the Director of Planning and Zoning and annually thereafter, The Director shall convene a meeting with the applicant, shopping center owner and tenants, and neighboring residents to discuss permit compliance and other relevant matters.*

#### Power Washing

- The proposed permit requires cleaning of the outdoor dining area at the close of business.
- Concern is noise, specifically power washing at night.
  - *Revise condition #13 by inserting the word "manually" between be and cleaned.*

# Del Ray Citizens Association

Post Office Box 2233

Alexandria, Virginia 22301

September 29, 1991

Mr. Phil Young  
The Winfield Group  
1499 Chain Bridge Road  
Suite 201  
McLean, VA 22101

Dear Mr. Young:

Thank you for your call regarding the proposed restaurant at 3414 Mt. Vernon Avenue. It was good to talk with you.

The occasion of this pending special use permit for Bic Patel's "Hogs on the Hill" at 3414 Mt. Vernon Ave. provides us an opportunity to improve the condition and appearance of the shopping center in which the proposed carry-out would be located.

The Del Ray Citizens Association would appreciate it if the owner of the property would commit in writing to the following improvements as conditions to the approval of the Special Use Permit.

1) Repair, repave and stripe the parking lot. There are several large potholes and the curbing is in generally in poor condition. The striping is barely visible.

2) Remove the unused, steel pole approximately 10 feet in height located at the Mt. Vernon Ave. driveway. It serves no purpose and it an eyesore. Similarly, remove the smaller bent pole which is adjacent to it.

3) <sup>Landscape</sup> ~~landscape~~ the shopping center site. At present there is no landscaping, except for a patch of overgrown weeds between the parking lot and the sidewalk.

4) Clean up the site. The parking lot and property surrounding the building is covered with broken glass, cans, and assorted paper trash. Regular, weekly, if not daily, cleaning and hosing down of the property amounts to prudent maintenance and would greatly improve the appearance of the site.

5) Remove cars that don't belong there as well as vendors who seem to have set up business in the lot selling seat covers and toys. Signs noting that the lot is for the use of retail patrons at the shopping center and a towing enforcement agreement with a local towing firm could help rid the owner and the community of some of the people contributing the property's deterioration.

6) Post no trespassing signs and give the Alexandria Police permission to arrest persons who don't belong on the property. The owner may also want to consider a private security arrangement as persons routinely loiter and drink at the side of the cleaners where the carry-out is proposed.

Certainly, as you noted, this is an area in transition. But of all the property at the intersection of Mt. Vernon Ave. and Glebe Rd., your client's is in the worst condition. You need only look at the Hardee's next door, or the McDonald's and car wash across the street to note what is possible. Their lots are clean, neat and in good repair and there is abundant, well-maintained landscaping.

You can be certain that our association would appreciate the owner's cooperation in this effort. Our experience has been that substantial cosmetic improvements are not only good for the businesses that share in them, but the interest shown by a responsible owner can serve as a deterrent to the type of activity that otherwise contributes to a property's decline.

We will be asking the Planning Commission to either defer Mr. Patel's application until next month pending a reply from the property owner or approve the application subject to the owner's agreement with the actions I have outlined.

Please call me if you have any questions (548-1044).

Very truly yours,



Rod Kuckro  
President

cc: Alexandria Planning Commission